

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEREK MATTHEWS,

Plaintiff,

v.

DEMITA PINCHBACK, et al.,

Defendants.

No. 2:22-cv-01329 DJC KJN P

ORDER

Plaintiff is a state prisoner proceeding through counsel. Defendant Pinchback's motion to dismiss is submitted for decision. The remaining defendants ("CDCR defendants") filed an ex parte application for authorization to file an early motion for summary judgment. On March 6, 2024, plaintiff filed an opposition to the application, and in the alternative asks the court to stay this action while he proceeds with a motion for relief from judgment in plaintiff's earlier case. In light of plaintiff's opposition, the CDCR defendants are granted fourteen days in which to respond to plaintiff's opposition. Defendant Pinchback is not required to respond, but in light of plaintiff's alternative request, defendant Pinchback may respond.

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1 Accordingly, IT IS HEREBY ORDERED that in light of plaintiff's March 6, 2024,
2 opposition, all defendants are granted fourteen days from the date of this order to respond thereto.

3 Dated: March 8, 2024



4 CAROLYN K. DELANEY
5 UNITED STATES MAGISTRATE JUDGE

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